

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
SEPTEMBER 7, 2022**

**CALL TO ORDER
6:00 PM**

A meeting of the Flathead County Planning Board was called to order at 6:00 p.m. in the Flathead County Fair & Event Center, Expo Building, 265 N Meridian Road, Kalispell, Montana. Board members present were Sandra Nogal, Verdell Jackson, Kevin Lake, Buck Breckenridge, Greg Stevens, Gary Votapka, Jeff Larsen and Elliot Adams. Landon Stevens and Erik Mack represented the Flathead County Planning & Zoning Office.

There were approximately 200 members of the public in attendance and 20 that joined over Zoom.

**APPROVAL OF
8.10.22 MEETING
MINUTES
6:01 PM**

Stevens made a motion, seconded by Nogal, to approve the August 10, 2022, meeting minutes.

On a roll call vote, the motion passed 7-1 with Lake abstaining.

**PUBLIC
COMMENT ON
ITEMS NOT ON
THE AGENDA
(Public matters that
are within the
jurisdiction of the
Board 2-3-103
M.C.A)
6:02 PM**

Lindsey Hromadka, 116 Lupfer Ave. Unit B, Whitefish, spoke about an overwhelming interest in zoning the Hwy 93 corridor in Lakeside. She handed out a map of the area and stated they are asking the board to hold a work session to discuss part 2 zoning and interim zoning to address the emergency presented by the safety hazards along Highway 93. She asked members in the audience to stand up if they were there to support zoning in Lakeside.

Margaret Davis, 865 Lakeside Blvd., stated she participated in the Lakeside Neighborhood Plan process and fully endorses zoning in the Lakeside area.

Christina Schroeder, 17945 Demersville Wagon Rd., spoke in favor of zoning and spoke about a petition that has generated approximately 84 signatures as well as 26 letters in support. She handed those to staff for the record.

Janie Lewer, 599 Bear Mountain Rd., stated her concerns about the safety along the highway in Lakeside and the amount of unmanaged growth. She commented that they would love the opportunity to work with the board, hear their expertise and give them some guidance so they can navigate this extreme growth and preserve the safety of the community of Lakeside.

Stephanie Venrice, 20561 Wild Horse Ranch Rd, Rollins, stated they want zoning and asked the board to schedule a workshop so they can move forward. She corrected a previous speaker and stated there were 62 letters of support.

Derek Young, 60 Hyden Ridge Rd., spoke in support of zoning in Lakeside.

Lisa Bangeman-Prugh, 234 Lakeside Blvd., stated they would love to have a work session with the board.

**DISCLOSURE OF
ANY CONFLICT
OF INTERESTS**
6:09 PM

None

Larsen wanted to mention that he did get a call from Rick Weaver at the Daily Interlake about this project. He stated his father-in-law owns property out here and commented that the Bowdish Road right-of-way on the west side of the highway was abandoned.

**MEETING
INFORMATION
FROM THE
CHAIR**
6:09 PM

Larsen wanted the members of the public to know the ground rules and procedure for the meeting. He stated once they get to the public hearing there will be a three-minute time limit so everybody can have a chance to speak. He asked everybody to be courteous to everyone no matter what side of the issue they are on. He asked them to address the board and not the audience. He also asked that they not clap or boo or anything like that, it's not right to do that to people. It's hard for some people to speak in public and he didn't want that to discourage them from speaking. If somebody has already said everything they are going to say, he would appreciate it if they kept it short. There is a clock, and a timer will be set, and planning staff will inform them when their time is up. He reiterated that he would really like them to cut off their remarks at that point.

**MONTARISE
DEVELOPMENTS
LLC**
(FZC-22-05)
6:10 PM

A zone change request from APEC Engineering, on behalf of Montarise Developments, LLC for property within the Prairie View Zoning District. The proposal would change the zoning on three parcels of land located north of KM Ranch Road near Whitefish, MT from *SAG-5 (Suburban Agricultural)* to *R-1 (Suburban Residential)*. The total acreage involved is approximately 155.9 acres that can legally be described as follows:
Parcel A of Correction Certificate of Survey No. 17161, located and being in a portion of Section 36, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana.

STAFF REPORT
6:11 PM

Landon Stevens reviewed staff report FZC-22-05 for the board.

**BOARD
QUESTIONS**
6:12 PM

Larsen asked staff to go through the agency comments for the board and members of the public.

Larsen asked about finding #1 as it doesn't seem like R-1 would be conducive to silvicultural or agriculture. That was also some of the public comments that they received.

Stevens clarified.

Larsen asked about finding #4 and #7, he asked staff to elaborate.

Stevens clarified.

**APPLICANT
PRESENTATION
6:17 PM**

Glenn Edwards, 307 Spokane Ave, Suite 203 C, Whitefish, read a letter from the president of the company.

Marc Liechti, of APEC Engineering, 210 Capra Ct., spoke on behalf of the applicants. He stated he has worked in Flathead County since 1993 and spoke of other proposals that were controversial like this one. He talked about the growth in the valley over the years and how people from other areas have discovered this area. He spoke about the location of the proposal and the need for affordable housing. He commented about the large group of opposition that formed in the last few months and the vision they have for housing. He also spoke about water rights and sewer and the need for DEQ approval before any homes are sold. The project is something everyone says they need but just not here. He spoke of the proposal having a 60 foot boundary and a fence to the west of the property. He spoke about traffic and how it will be phased in, in future phases and will be participating in necessary improvements along the access roads between Bowdish Rd or KM Ranch Rd. Bowdish Rd is currently not used on the north side of this project. KM Ranch Rd is getting busier, however it has multiple exists through Spring Creek, Church Dr to the south as well as continuation all the way to Whitefish. He felt it was unjust how this project was presented by the neighborhood.

He wanted to address a few items in the staff report regarding health, water, and sanitation. They are working with DNRC and DEQ to comply with the current standards. They have county approach permits in place, and an intended traffic impact study has been done, which allows phase 1 to proceed with no changes. MDT is currently reviewing and will address the project in time. He spoke of law enforcement, emergency services, and increase in density.

Board member Stevens asked about improving the intersection and what that means.

Liechti said they are waiting for MDT so he didn't want to guess, but there would be a traffic light proposed at that location.

Board member Stevens asked if he had any idea when that would happen.

Liechti said when the traffic warrants when they would need the light. When the traffic is the density they expect, then they would request of the developer to install the light.

Edwards wanted to clarify that although they are not technically from here they are vested in Montana. The business has been going since the early 80's

and they have built thousands of units. They are for responsible land use. He spoke about the trees in the area, the fire hazard, preserving the forest feel, and meeting the needs as well as they can. They wanted to meet with the objectors but were told no. They are also for well managed change. Change is inevitable although not welcome. He spoke to the housing market in the last few years and how they want to try to be a solution for that. They want to create a friendly community through a strong HOA. He talked about workforce housing, and offering an RV park for temporary workforce housing. He talked about providing parks, walking paths, dog parks and soccer fields. He also talked about schools, the cost of materials, labor shortage, the cost of housing, and economic issues. He spoke about what they would offer as far as housing, visual buffering, infrastructure, solving problems such as traffic, and they would like to be a part of the solution. He pointed out on the slides some examples of condos, pocket neighborhood, cottage layout, and courtyard living.

Brian Murphy, 1032 Creek View Dr, Whitefish spoke about the lack of affordable housing in the area. He spoke about the price of homes at this time and believed that we need to have something like this somewhere in the valley. He hoped everyone would give true consideration to the need for this type of project.

**BOARD
QUESTIONS
6:24 PM**

Board member Stevens asked why they've spent a lot of time talking about a PUD. He wanted to ask the applicant if he was aware they were only talking about the zone change tonight. He wanted to clarify the procedure.

Votapka asked if Montarise intended to be the builder and if they would have tight control over the development.

Edwards said yes.

**AGENCY
COMMENTS
6:57 PM**

There were no public agencies present to comment. Written comments were reviewed in the staff report.

Larsen spoke about the public comments they received in their packet and summarized those comments. He also reiterated the procedure and why the applicant was given a longer time limit to present their proposal. The burden of proof is on the applicant.

**PUBLIC
COMMENT
7:00 PM**

Ron Breuss, 312 Elk Trail in Happy Valley, spoke in opposition of the proposal.

Lindsey Hromadka, 116 Lupfer Ave, spoke on behalf of Friends for Responsible Growth, in opposition of the proposal.

Kim Wilson, 44 Last Chance Gulch, Helena MT represented Friends for Responsible Growth and spoke in opposition of the proposal.

Scott Miller, 230 Deer Trail, spoke in opposition of the proposal.

Jerry Kempf, 4500 Hwy 93, spoke in opposition of the proposal. He urged the board to deny the zone change.

Mike Pierson, 4496 Hwy 93 S, spoke in opposition of the proposal. He was concerned about fire safety, traffic, and water supply.

Tim Rubbert, 900 Rifle Range Rd, spoke in opposition of the proposal. He spoke about traffic and infrastructure.

Joe Decree, 172 Eagle View Trail, spoke in opposition of the proposal and agreed with previous speakers.

Walt Bastiaanse, 1085 KM Ranch Rd, spoke in opposition of the proposal. He was concerned about the infrastructure not being maintained in the future as well as the septic and wells. He urged the board to deny the application.

Amy Esmay 1929 KM Ranch Rd., spoke in opposition of the proposal.

Paul Secrets, 375 KM Ranch Rd, spoke in opposition of the proposal.

Chris Rommel, 432 Spring Prairie Rd., spoke in opposition of the proposal.

Daniel Khoury, 490 Spring Prairie Rd, asked what low income housing was. He stated nobody knows what the pricing will be and if it will be affordable. He asked if the commissioners could still approve the proposal even if the planning board denies it. He was in opposition of the proposal.

Julie Rommel, 432 Spring Prairie Rd, spoke in opposition of the proposal. She agreed with previous speakers.

Allen Benedikt, 376 Old Ranch Rd, said he appreciated the presentation but was still in opposition of the proposal.

Kevin Morrell, 1167 Conifer View Rd, thanked the board for their service and willingness to accommodate the large number of people that wished to speak. He spoke in opposition of the proposal.

Jerry Nielsen, 155 North Pines Rd., spoke in opposition of the proposal.

Kevin Knapp, 520 Spring Prairie Rd, spoke in opposition of the proposal.

Chuck Curry, 188 Spring Prairie Rd, spoke in opposition of the proposal.

Kris Barnum, 288 Songbird Ln, spoke in opposition of the proposal.

Brett Bates, 105 Cougar Trail, spoke in opposition of the proposal. He was concerned about the increase of traffic.

Marshall Friedman, 1707 KM Ranch Rd, spoke in opposition of the proposal.

Jenna Anderson, 1417 Lost Creek, spoke in opposition of the proposal.

Erika DeCree, 172 Eagle View Trail, spoke in opposition of the proposal.

Steve Pleasants, 133 Hideaway Trail, spoke in opposition of the proposal. He was concerned about the increase in traffic.

Marcus Esmay, 1929 KM Ranch Rd, spoke in opposition of the proposal.

Heather Hodges, 2298 KM Ranch Rd, spoke in opposition of the proposal.

Ron Chestnut, 388 Old Ranch Rd, spoke in opposition of the proposal.

Gary Gere, 1170 Lupfer Meadows Rd, spoke in opposition of the proposal.

Christy Riney, 376 Old Ranch Rd, spoke in opposition of the proposal. She agreed with previous speakers. She was concerned about the traffic and fire safety.

Kathy Bakken, 1184 Kuhns Rd, spoke in opposition of the proposal.

Bonnie Ingham, 805 Spring Prairie Rd, spoke in opposition of the proposal. She agreed with previous speakers.

Tom Britz, 700 KM Ranch Rd, spoke in opposition of the proposal. He agreed with previous speakers.

Aaron Sadino, 202 Spring Prairie Rd, gave the board a handout with statistics for home supply and demand in the valley and he spoke in opposition of the proposal.

William Bartlett, 1060 Conifer View Rd, spoke in opposition of the proposal. He spoke about the width of KM Ranch Rd and the increase in traffic.

Anna Woo, 2465 KM Ranch Rd, spoke in opposition of the proposal. She agreed with previous speakers.

Henry Roe, 243 Second Street West, is currently building a home at 10 Bowdish Woods Rd., spoke in opposition of the proposal. He agreed with previous speakers.

Roy Skudlarek, 272 Lore Lake Dr. spoke in opposition of the proposal.

Beverly Klapperich, 245 Spring Prairie Rd, spoke in opposition of the proposal. She agreed with previous speakers.

Heather Morrell, 1167 Conifer View Rd, spoke in opposition of the proposal.

Mayre Flowers, Citizens for a Better Flathead, 135 Main Street, spoke in opposition of the proposal.

Nancy Clarke, 696 Spring Prairie Rd, spoke in opposition of the proposal.

8: 43 pm - Board took a 15-minute break

Rick Nys, 13554 Rogers Rd, Oswego, Oregon, spoke via Zoom, about the traffic impact study and was opposed to the proposal.

Jeff Sadino, 202 Spring Prairie Rd, spoke via Zoom, in opposition of the proposal.

Danielle Pierce, 356 Shady River Ln, spoke via Zoom, in opposition of the proposal. She agreed with previous speakers.

Debbie Pierson, 4496 Hwy 93 S, spoke in opposition of the proposal. She agreed with previous speakers.

**APPLICANT
REBUTTAL
9:08 PM**

Edwards did not have any rebuttal. He commented that they heard the outcry and although they don't agree, they have the right to their opinion.

**STAFF
REBUTTAL
9:09 PM**

Mack commented that it was his understanding that MDT would not be putting a stop light at the intersection of KM Ranch Rd and Highway 93, so there may have to be an alternative solution.

**BOARD
DISCUSSION
9:10 PM**

Larsen commented that he had not had a chance to read all the extra information they had received tonight, so he was personally not prepared to vote on this proposal. He wanted to spend the time to read the comments and alternative findings of fact that were presented, so he would like to table this proposal and work on the findings.

Board member Stevens commented that he would like to get it done with. The additional information he received tonight and the alternative findings, he didn't need alternative findings to decide one way or the other. He would vote on the findings they've got. If he had some time to read through the letters, he would be comfortable with going ahead. However, he would certainly defer to whatever the board thinks is best.

Larsen felt he owed it to all the people who submitted written comments to thoroughly read them. He didn't feel it did justice to the effort that people put in. He needs to really look at them. He understands the people want a decision tonight, but he didn't want to rush into anything. The other thing is the planning board legally has to consider all the comments that people make. They are required to do that. They don't just sit there and listen to everyone and then ram some decision through, they need to look at the comments and consider them.

Votapka wanted clarification on procedure.

Larsen stated the public hearing is closed so they have all the information they are going to get. What happens now is that they would come back after they've had adequate time to read everything on their own and make a decision.

Mack stated any public comment received after the public hearing is closed will be sent to the commissioners for their consideration but will not be considered by the planning board.

**MOTION TO
TABLE
(FZC-22-05)
9:18 PM**

Stevens made a motion seconded by Nogal to table FZC-22-05 to the October 12, 2022 meeting.

**ROLL CALL TO
TABLE
(FZC-22-05)
9:19 PM**

On a roll call vote the motion passed unanimously.

**OLD BUSINESS
9:20 PM**

Mack told the board we still do not have a board secretary.

**NEW BUSINESS:
9:20 PM**

Mack asked what the board thought about a meeting with the people from Lakeside to discuss zoning. Did they want to think about it and discuss it at the regular meeting.

Larsen said he'd like to talk about it under new business next week. He wanted to look at what their schedule is.

Votapka asked how big of a process it that.

Larsen said they don't know for sure but would like to sit down with them like they did with West Glacier and North Fork and kick around what they are thinking. They will have a discussion next week.

Nogal asked about the legal-size document that was given to them as part of the comments, it appeared to be the original CCR's on Bowdish.

Staff member Stevens said he didn't know, it came in as a public comment.

Nogal wondered if they were legitimate.

Staff member Stevens said he had no idea.

Nogal stated that it is part of the public comment and what they are saying is that the 155 acres apparently had restrictions about what it could be used for.

Mack commented that we may have to ask the county attorney's for some feedback on that.

ADJOURNMENT
9:22 PM

Meeting was adjourned on a motion made by Nogal seconded by Votapka at approximate 9:22 pm. The next meeting will be held on October 12, 2022.



Jeff Larsen, Chairman



Mary Metzger, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 10/12/2022